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Separate paging is given to this Part in order that it may be filed
as a separate compilation.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

New Delhi, the 19th October, 1990/Asvina 27, 1912 (Saka)

THE RAM JANMA BHUMI-BABRI MASJID (ACQUISITION OF AREA) ORDINANCE, 1990

No. 9 of 1990

Promulgated by the President in the Forty-first Year of the
Republic of India.

**An Ordinance to provide for the acquisition of the Ram Janma
Bhumi-Babri Masjid area and for matters connected there-
with or incidental thereto.**

WHEREAS Parliament is not in session and the President is satisfied
that circumstances exist which render it necessary for him to take
immediate action;

Now, therefore, in exercise of the powers conferred by clause (1)
of article 123 of the Constitution, the President is pleased to promulgate
the following Ordinance:—

CHAPTER I

PRELIMINARY

1. (1) This Ordinance may be called the Ram Janma Bhumi-Babri
Masjid (Acquisition of Area) Ordinance, 1990.

(2) It shall come into force at once.

(1)

Short
title
and
commen-
tation.

Defini-
tions.

2. In this Ordinance, unless the context otherwise requires,—

(a) "area" means the area (including all the buildings, structures or other properties comprised therein) specified in the Schedule;

(b) "authorised person" means a person or body of persons appointed by the Central Government under sub-section (1) of section 7.

CHAPTER II

ACQUISITION OF RAM JANMA BHUMI-BABRI MASJID AREA

Acqui-
sition of
rights
in
respect
of the
area.

3. On and from the commencement of this Ordinance, the right, title and interest in relation to the Ram Janma Bhumi-Babri Masjid area, as specified in the Schedule, shall, by virtue of this Ordinance, stand transferred to, and vest in, the Central Government.

General
effect
of
vesting

4. (1) The area shall be deemed to include all assets, rights, leaseholds, powers, authority and privileges and all property, movable and immovable, including lands, buildings, structures, shops of whatever nature or other properties and all other rights and interests arising out of such properties as were immediately before the commencement of this Ordinance in the ownership, possession, power or control of any person and all registers, maps, plans, drawings, records of survey and other documents of whatever nature relating thereto.

(2) All properties aforesaid which have vested in the Central Government under section 3 shall, by force of such vesting, be freed and discharged from any trust, obligation, mortgage, charge, lien and all other encumbrances affecting them and any attachment, injunction, decree or order of any court or tribunal or other authority restricting the use of such properties in any manner or appointing any receiver in respect of the whole or any part of such properties shall be deemed to have been withdrawn.

(3) If, on the commencement of this Ordinance, any suit, appeal or other proceeding, of whatever nature, in relation to any property which has vested in the Central Government under section 3, is pending before any court, tribunal or other authority, the same shall abate.

Duty of
persons
in charge
of
manage-
ment of
the
area to
deliver
all
assets,
etc.

5. (1) The Central Government may take all necessary steps to secure possession of the area which is vested in that Government under section 3.

(2) On the vesting of the area in the Central Government under section 3, the person in charge of the management of the area immediately before such vesting shall be bound to deliver to the Central Government or the authorised person, all assets, registers and other documents in their custody relating to such area.

6. (1) Notwithstanding anything contained in sections 3, 4, 5 and 7, the Central Government may, if it is satisfied that any authority or other body is willing to comply or has complied with such terms and conditions as that Government may think fit to impose, direct by notification, that the right, title and interest in relation to vest in the Central Government, vest in that authority or body either on the date of the notification or on such earlier or later date (not being a date earlier than the commencement of this Ordinance) as may be specified in the notification.

Power of Central Government to direct vesting of the area in another authority.

(2) When the right, title and interest in relation to the area or part thereof vest in the authority or body referred to in sub-section (1), all the rights of the Central Government in relation to such area or part shall, on and from the date of such vesting, be deemed to have become the rights of that authority or body.

(3) The provisions of clause (b) of section 2 and sections 3, 4, 5, 7 and 10 shall, so far as may be, apply in relation to such authority or body as they apply in relation to the Central Government and for this purpose references therein to the "Central Government" shall be construed as references to such authority or body.

CHAPTER III

MANAGEMENT AND ADMINISTRATION OF PROPERTY

7. (1) Notwithstanding anything contained in any contract or instrument or order of any court, tribunal or other authority to the contrary, on and from the commencement of this Ordinance, the property vested in the Central Government under section 3 shall be managed by the Central Government or by a person or body of persons authorised by that Government in this behalf.

Management of property by Government.

(2) In managing the property vested in the Central Government under section 3, the Central Government or the authorised person shall ensure that the position existing immediately before the commencement of this Ordinance is maintained.

CHAPTER IV

MISCELLANEOUS

8. (1) The owner of any land, building, structure or other property comprised in the area specified in the Schedule shall be given by the Central Government, for the transfer to and vesting in that Government under section 3 of that land, building, structure or other property, in cash an amount equivalent to the market value of the land, building, structure or other property.

Payment of amount.

(2) The owner or any person having a claim against the owner may make a claim to the Central Government or to a person authorised by that Government in that behalf within a period of ninety days from the date of commencement of this Ordinance:

Provided that, if the Central Government or the person so authorised is satisfied that the claimant was prevented by sufficient cause from preferring the claim within the said period of ninety days, the Central Government or the person so authorised may entertain the claim within a further period of ninety days and not thereafter.

Ordinance to override all other enactments.

9. The provisions of this Ordinance shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or any instrument having effect by virtue of any law other than this Ordinance or any decree or order of any court, tribunal or other authority.

Protection of action taken in good faith.

10. No suit, prosecution or other legal proceeding shall lie against the Central Government, authorised person or any of the officers or other employees of that Government or person for anything which is in good faith done or intended to be done under this Ordinance.

Cognizance of offences.

11. Notwithstanding anything contained in the Code of Criminal Procedure, 1973, no court shall take cognizance of any offence under this Ordinance except on a complaint, in writing, made by the Central Government or any officer authorised in this behalf by that Government.

2 of 1974.

Power to make rules.

12. (1) The Central Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Ordinance.

(2) Every rule made by the Central Government under this Ordinance shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.